

**IN THE COURT OF CRIMINAL APPEALS  
FOR THE STATE OF TEXAS  
AUSTIN, TEXAS**

FILED  
COURT OF CRIMINAL APPEALS  
8/28/2019  
DEANA WILLIAMSON, CLERK

**SAMUEL UKWUACHU,  
Respondent**

**VS.**

**THE STATE OF TEXAS,  
Petitioner**

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**NO. PD-0776-19**

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**MOTION TO EXTEND TIME FOR FILING REPLY TO  
STATE'S PETITION FOR DISCRETIONARY REVIEW  
OF THE COURT OF APPEALS  
FOR THE TENTH DISTRICT OF TEXAS  
NO. 10-15-00376-CR**

\*\*\*\*\*

**WILLIAM A. BRATTON, III**  
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**ATTORNEY FOR RESPONDENT**

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**TO THE HONORABLE JUDGE OF SAID COURT:**

COMES NOW **SAMUEL UKWUACHU**, Respondent in the above-entitled and numbered cause, by and through his attorney of record, **WILLIAM A. BRATTON, III, and**, pursuant to **TEX. R. APP. PROC. 68.2(c) and 10.5(b)** requests the Court to grant an additional fifteen (15) days for filing a reply to the Petition for Discretionary Review herein. In support thereof, the Respondent would respectfully show the Court as follows:

1. That the Court of Appeals for the Tenth District of Texas at Waco, Texas, rendered its decision on direct appeal in the cause entitled Samuel Ukwuachu v. The State of Texas, cause no. 10-15-00376-CR on July 10, 2019.

2. That the Petitioner filed a Petition for Discretionary Review with the Court on July 26, 2019, which would have made Respondent's Reply to State's Petition for Discretionary Review due on August 12, 2019.

3. That, due to the timing of the decision of the Court of Appeals during the summer months during which counsel was out of the office for extended vacation, counsel for Petitioner requests a fifteen (15) day extension of time, until August 27, 2019 for filing Respondent's Reply to State's Petition for Discretionary Review.

4. That no prior extensions of time have been requested or granted

5. That counsel for Petitioner has filed the Reply to State's Petition for Discretionary Review concurrent with the filing of this motion (See attached Exhibit "A").

6. It is based on these circumstances and in the effort to provide the Respondent herein with effective representation of counsel in the appellate process pursuant to the Sixth and Fourteenth Amendments to the United States Constitution, and art. I, sec. 10, Tex. Const. Further, the request is made not for the purpose of delay, but so that justice may be done.

WHEREFORE, PREMISES CONSIDERED, the petitioner prays that this Motion be in all things granted and that the Petitioner be given an additional fifteen (15) days for the filing of the Reply to State's Petition for Discretionary Review.

Respectfully submitted,

**/s/WILLIAM A. BRATTON III**  
**WILLIAM A. BRATTON, III**

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**ATTORNEY FOR RESPONDENT**

## **CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify that a true and correct copy of the above and foregoing Motion for Extension of Time for Filing Reply to State's Petition for Discretionary Review was forwarded by electronic service to the District Attorney of McLennan County, and the State Prosecuting Attorney on this the 27th day of August, 2019.

**/s/WILLIAM A. BRATTON III**  
**WILLIAM A. BRATTON, III**  
**ATTORNEY FOR RESPONDENT**